

Bayer CropScience

Via Federal Express

Ms. Clair Hong, Remedial Project Manager
United States Environmental Protection Agency
Region 10
Environmental Cleanup Office, ECL-111
1200 Sixth Avenue, Suite 900
Seattle, WA 98101

Re: Request for Information Regarding the Former Rhône-Poulenc Inc.
Facility in the Lower Duwamish Waterway Superfund Site,
Seattle, Washington

RECEIVED

SEP 22 2009

Environmental
Cleanup Office



Dear Ms. Hong:

September 21, 2009

Bayer CropScience LP ("BCS") hereby responds to the Request for Information dated July 21, 2009. This request was received on July 23.

Bayer CropScience LP
2 T.W. Alexander Drive
Research Triangle Park, NC 27709

Please note that BCS has little or no information concerning this site as ownership and all relevant files were transferred to Rhodia Inc. on or before June 2, 1998. We refer you to Paul Linskey, Esq. who may have more information regarding this site. His contact information is:

Paul Linskey, Esq.

Rhodia Inc.

8 Cedar Brook Drive (Courier Address)

CN7500 (Mail Address)

Cranbury, NJ 08512

Cranbury, NJ 08512-7500

Phone: 609-860-3606

Email: plinskey@us.rhodia.com

If you have any questions concerning this response on behalf of BCS, please contact the undersigned.

Yours sincerely,

A handwritten signature in cursive script, reading "George S. Goodridge".

George S. Goodridge

Assistant General Counsel

george.goodridge@bayercropscience.com

gsg/09-23/mc

cc: Paul Linskey, Esq. – Rhodia Inc.

Lower Duwamish Waterway Superfund Site
Seattle, Washington
Information Request Questions
Bayer CropScience LP

1. Respondent Information

- a. Provide the full legal name and mailing address of the Respondent.

Bayer CropScience LP
Attention: George S. Goodridge
2 TW Alexander Drive
Research Triangle Park, NC 27709

- b. For each person answering these questions on behalf of Respondent, provide: i) full name, ii) title, iii) business address; and iv) business telephone number and fax machine number.

George S. Goodridge
Assistant General Counsel
Bayer CropScience LP
2 TW Alexander Drive
Research Triangle Park, NC 27709
Telephone: 919-549-2418
Fax: 919-549-2500
Email: george.goodridge@bayercropscience.com

- c. If Respondent wishes to designate an individual for all future correspondence concerning this Site, please indicate hereby providing that individual's name, address, telephone number and fax number.

Same as 1b.

- d. State the dates during which Respondent held any property interests at or within one-half mile of the Site.

To the best of my knowledge, Bayer CropScience LP ("BCS") and its predecessors purchased the Seattle site at 9229 East Marginal Way South in 1986 and operated it until 1991 when all chemical manufacturing at the site ceased, and the chemical facility was decommissioned. In 1998 the property was conveyed by Rhône-Poulenc Inc. (predecessor in interest to BCS) to Rhodia Inc., a Delaware corporation.

Lower Duwamish Waterway Superfund Site
Seattle, Washington
Information Request Questions
Bayer CropScience LP

- e. State the dates during which Respondent conducted any business activity at or within one-half mile of the Site.

1986 – 1991

- f. Describe the name of Respondent's business activities at the Site or within one-half mile of the Site.

It is believed that Rhône-Poulenc Inc. manufactured vanillin.

- g. In relation to your answer to the previous question, identify all materials used or created by your activities at the Site, including raw materials, commercial products, building debris, and other wastes.

BCS LP has no records responsive to this question. However, it is believed that full documentation of materials used, etc. are contained in the USEPA Region 10 files pertaining to this Site. There is an active Administrative Order on Consent for Corrective Action under the Resource Conservation and Recovery Act (Docket No. 1091-11-20-3008(h) (WAD 009282302). This action is maintained by Region 10 and remains open. Other records and information may be in the possession of Rhodia Inc. Rhodia may be contacted through:

Paul Linskey, Esq.

Rhodia Inc.

8 Cedar Brook Drive (Courier Address)

Cranbury, NJ 08512

Phone: 609-860-3606

Email: plinskey@us.rhodia.com

CN7500 (Mail Address)

Cranbury, NJ 08512-7500

- h. If Respondent, its parent corporation, subsidiaries or other related or associated companies have filed for bankruptcy, provide:

Not Applicable. No bankruptcy petitions known or filed.

Lower Duwamish Waterway Superfund Site
Seattle, Washington
Information Request Questions
Bayer CropScience LP

2. Site Activities and Interests

- a. Provide all documents in your possession regarding the ownership or environmental conditions of the Site, including, but not limited to, copies of deeds, sales contracts, leases, blueprints, "as-builts" and photographs.

Respondent has no such documents available to it. See answer to 1g above.

- b. Provide information on the condition of the Site when purchased.

Respondent has no such information. See answer to 1g above.

- c. Provide information on past dredging or future planned dredging at this Site.

Respondent has no such information. See answer to 1g above.

- d. Provide a brief summary of the activities conducted at the Site while under Respondent's ownership or operation. Include process diagrams or flow charts of the industrial activities conducted at the Site.

Respondent has no such information. See answer to 1g above.

- e. Provide all documents pertaining to sale, transfer, delivery, disposal, or any hazardous substances, scrap materials, and/or recyclable materials to this property.

Respondent has no such information. See answer to 1g above.

- f. Provide all information on electrical equipment used at the Site, including transformers or other electrical equipment that may have contained polychlorinated biphenyls (PCBs).

Respondent has no such information. See answer to 1g above.

- g. Provide information on the type(s) of oils or fluids used for lubrication of machinery or other industrial purposes, and any other chemicals or products which are or may contain hazardous substances which are or were used at the Site for facility operations.

Lower Duwamish Waterway Superfund Site
Seattle, Washington
Information Request Questions
Bayer CropScience LP

Respondent has no such information. See answer to 1g above.

- h. Provide any site drainage descriptions, plans or maps that include information about storm drainage which includes, but is not limited to, above or below surface piping, ditches, catch basins, manholes, and treatment/detention or related structures including outfalls. If available, also include information about connections to sanitary sewer.

Respondent has no such information. See answer to 1g above.

- i. With respect to past site activities, please provide copies of any stormwater or drainage studies, including data from sampling, conducted at the Site. Also provide copies of any Stormwater Pollution Prevention, Maintenance Plans, Spill Plans, and any stormwater, process water, or any other discharge permits that may have been developed or obtained for different operations during the Respondent's occupation of the property.

Respondent has no such information. See answer to 1g above.

3. Information About Others

- a. Describe any business relationship you may have had regarding this property or operations thereon with the following entities:
- i. Container Properties LLC
 - ii. Insurance Auto Auctions, Inc.
 - iii. Merrill Creek Holdings
 - iv. Monsanto Chemical Co., and
 - v. PACCAR

It is believed that Rhone-Poulenc Inc. (predecessor to BCS) purchased the Site from Monsanto Chemical Co. It is believed that PACCAR was an adjoining landowner and may have been a lessee. However, all records of such relationships were transferred to Rhodia Inc. in 1998.

Lower Duwamish Waterway Superfund Site
Seattle, Washington
Information Request Questions
Bayer CropScience LP

- b. Provide the names and last known address of any tenants or lessees, the dates of their tenancy and a brief description of the activities they conducted while operating on the above mentioned Site.

See answer on 3a.

- c. If not already provided, identify and provide a last known address or phone number for all persons, including Respondent's current and former employees or agents, other than attorneys, who have knowledge or information about the generation, use, purchase, storage, disposal, placement, or other handling of hazardous materials at, or transportation of hazardous materials to or from the Site.

Respondent has no knowledge of any such person, other than attorneys who may have knowledge or information about the Site.

4. Financial Information

- a. Provide true and complete copies of all federal income tax documents, including all supporting schedules, for 2004, 2005, 2006, 2007 and 2008. Provide the Federal Tax Identification Number and, if documentation is not available, explain why in detail.

BCS LP files a consolidated income tax return with its indirect corporate parent, Bayer Corporation. Thus, there are no federal income tax documents pertaining solely to Respondent. Respondent's Federal Tax Identification Number is

- b. Provide the Respondent's financial interest in, control of, or that the Respondent is a beneficiary of any assets (in the U.S. or in another country) that have not been identified in your federal tax returns or other financial information to be presented to EPA. If there are such assets, please identify each asset by type of asset, estimated value, and location.

We are not aware of any such financial interest.

Lower Duwamish Waterway Superfund Site
Seattle, Washington
Information Request Questions
Bayer CropScience LP

- c. If Respondent is, or was at any time, a subsidiary of, otherwise owned or controlled by, or otherwise affiliated with another corporation or entity, then describe the full nature of each such corporate relationship.

Respondent is directly or indirectly controlled by Bayer Corporation, Pittsburgh, Pennsylvania through related entities including Bayer CropScience Inc., the direct corporate successor of Rhône-Poulenc Inc. During the period of ownership by Rhône-Poulenc Inc., it is believed that Rhône-Poulenc Inc. was the wholly owned subsidiary of Rhône-Poulenc S.A., a French corporation with offices in Lyon, France. This relationship existed from 1986 until the transfer of the Site in 1998. Respondent has no further information regarding affiliated entities, officers, directors, insurance policies, or any corporate financial information of affiliated entities directly related to Respondent's business operations at the Site.

5. Insurance Coverage

- a. Provide copies of all property, casualty and/or liability insurance policies, and any other insurance contracts referencing the Site or facility and/or Respondent's business operations.

Respondent has no such records or information regarding insurance coverage at the Site. It is believed that no existing policies of Respondent would cover any operations at or around the Site since the Site was transferred to Rhodia Inc. in 1998.

- b. If there are any such policies from question "5a" above which existed, but for which copies are not available, identify each such policy by providing as much of the following information as possible.

Not Applicable

- c. Identify all insurance brokers or agents who placed insurance for the Respondent at any time during the period being investigated, as identified as the beginning of this request, and identify the time period during which such broker or agent acted in this regard.

Not Applicable

Lower Duwamish Waterway Superfund Site
Seattle, Washington
Information Request Questions
Bayer CropScience LP

- d. Identify all communication and provide all documents that evidence, refer, or relate to claims made by or on behalf of the Respondent under any insurance policy in connection with the Site. Include any responses from the insurer with respect to any claims.

Not Applicable

- e. Identify any previous settlements with any insurer in connection with the Site, or for any claims for environmental liabilities during the time period under investigation. Include any policies surrendered or cancelled by the Respondent or insurer.

It is believed that there were previous settlements with insurers in connection with the Site, but all documents, records and information pertaining to the Site are in the control of Rhodia Inc.

- f. Identify any and all insurance, accounts paid or accounting files that identify Respondent's insurance policies.

Not Applicable

- g. Identify Respondent's policy with respect to document retention.

Bayer Records Retention Manual is enclosed.

6. Compliance with This Request

- a. Describe all sources reviewed or consulted in responding to this request, including, but not limited to:

- i. the name and current job title of all individuals consulted;

Paul Linskey, Esq.
Rhodia Inc.

- ii. the location where all documents reviewed are currently kept

One legal file pertaining primarily to the RCRA corrective action under the Order referred to in Question 1a above.